

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MELVYN KLEIN, Derivatively on Behalf  
of ORMAT TECHNOLOGIES, INC.,

Plaintiff(s),

vs.

TODD C. FREELAND, RAVIT BARNIV,  
DAN FALK, DAVID GRANOT, STAN H.  
KOYANAGI, YUICHI NISHIGORI, et al.

Defendant(s).

Case #3:18-cv-00439

**VERIFIED PETITION FOR  
PERMISSION TO PRACTICE  
IN THIS CASE ONLY BY  
ATTORNEY NOT ADMITTED  
TO THE BAR OF THIS COURT  
AND DESIGNATION OF  
LOCAL COUNSEL**

FILING FEE IS \$250.00

Owen C. Pell, Petitioner, respectfully represents to the Court:  
(name of petitioner)

1. That Petitioner is an attorney at law and a member of the law firm of

White & Case LLP

(firm name)

with offices at 1221 Avenue of the Americas,  
(street address)

New York

(city)

New York

(state)

10020

(zip code)

212-819-8200

(area code + telephone number)

opell@whitecase.com

(Email address)

2. That Petitioner has been retained personally or as a member of the law firm by

See Attachment A.

[client(s)]

to provide legal representation in connection with

the above-entitled case now pending before this Court.

3. That since June 18, 1984, Petitioner has been and presently is a  
 (date)  
 member in good standing of the bar of the highest Court of the State of New York  
 (state)  
 where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or  
 from the clerk of the supreme court or highest admitting court of each state, territory, or insular  
 possession of the United States in which the applicant has been admitted to practice law certifying  
 the applicant's membership therein is in good standing.

4. That Petitioner was admitted to practice before the following United States District  
 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts  
 of other States on the dates indicated for each, and that Petitioner is presently a member in good  
 standing of the bars of said Courts.

Court	Date Admitted	Bar Number
<u>Southern District of New York</u>	<u>August 14, 1984</u>	<u>OP0118</u>
<u>Eastern District of New York</u>	<u>June 17, 1998</u>	
<u>Court of Appeals for the Seventh Circuit</u>	<u>November 22, 1999</u>	
<u>Court of Appeals for the Second Circuit</u>	<u>March 06, 2001</u>	
<u>U.S. Supreme Court</u>	<u>March 26, 2001</u>	
<u>Court of Appeals for the Ninth Circuit</u>	<u>April 18, 2003</u>	
<u>Court of Appeals for the Fourth Circuit</u>	<u>July 26, 2018</u>	

5. That there are or have been no disciplinary proceedings instituted against petitioner,  
 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory  
 or administrative body, or any resignation or termination in order to avoid disciplinary or  
 disbarment proceedings, except as described in detail below:

None.

6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give particulars if ever denied admission):

None.

7. That Petitioner is a member of good standing in the following Bar Associations.

None.

8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
None.			

(If necessary, please attach a statement of additional applications)

9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada.

10. Petitioner agrees to comply with the standards of professional conduct required of the members of the bar of this court.

11. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court  
2 FOR THE PURPOSES OF THIS CASE ONLY.

*Owen C. Pell*

Petitioner's signature

3  
4 STATE OF New York )  
5 COUNTY OF New York )  
6

7 Owen C. Pell, Petitioner, being first duly sworn, deposes and says:  
8 That the foregoing statements are true.

*Owen C. Pell*

Petitioner's signature

9  
10 Subscribed and sworn to before me this

11 25th day of January, 2019.

SANDRA BROUGHTON  
Notary Public, State of New York  
No. 016R5018163  
Qualified in Queens County  
Commission Expires Sept. 20, 2021

12 *Sandra Broughton*  
13 Notary Public or Clerk of Court  
14  
15

16 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO  
17 THE BAR OF THIS COURT AND CONSENT THERETO.**

18 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner  
19 believes it to be in the best interests of the client(s) to designate Matthew Addison,  
20 (name of local counsel)  
21 Attorney at Law, member of the State of Nevada and previously admitted to practice before the  
22 above-entitled Court as associate resident counsel in this action. The address and email address of  
23 said designated Nevada counsel is:

24 McDonald Carano; 100 West Liberty Street 10th Floor  
(street address)  
25 Reno, Nevada, 89501  
(city) (state) (zip code)  
26 775-778-2000, maddison@mcdonaldcarano.com  
(area code + telephone number) (Email address)  
27  
28

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes  
2 agreement and authorization for the designated resident admitted counsel to sign stipulations  
3 binding on all of us.

4  
5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

6  
7 The undersigned party(ies) appoint(s) Matthew Addison as  
8 his/her/their Designated Resident Nevada Counsel in this case.  
(name of local counsel)

9 

10 (party's signature)

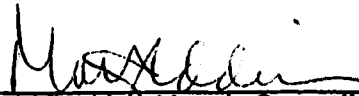
11 LYNN ALSTER VP & LEGAL ADVISOR - ORMA  
12 (type or print party name, title)

13 (party's signature)

14  
15 (type or print party name, title)

16  
17 **CONSENT OF DESIGNEE**

18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

19 

20 Designated Resident Nevada Counsel's signature

21 4201

maddison@mcdonaldcarano.com

Bar number

Email address

22  
23 APPROVED:

24 Dated: this 11 day of February, 2019.

25   
26 UNITED STATES DISTRICT JUDGE  
27  
28

**Attachment A.**

2. That Petitioner has been retained personally or as a member of the law firm by Stan H. Koyanagi, Stanley B. Stern, Byron Wong, to provide legal representation in connection with the above-entitled case now pending before this Court.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**MELVYN KLEIN, Derivatively on Behalf of  
ORMAT TECHNOLOGIES, INC.,**

**Plaintiffs,**

**v.**

**TODD C. FREELAND, RAVIT BARNIV, DAN  
FALK, DAVID GRANOT, STAN H.  
KOYANAGI, YUICHI NISHIGORI, STANLEY  
B. STERN, BYRON WONG, DAFNA SHARIR,  
ISAAC ANGEL, and DORON BLACHAR,**

**Defendants,**

**-and-**

**ORMAT TECHNOLOGIES, INC.,**

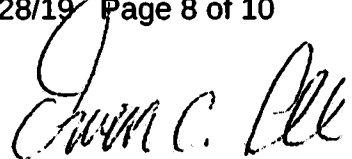
**Nominal Defendant.**

**No.: 3:18-cv-00439**

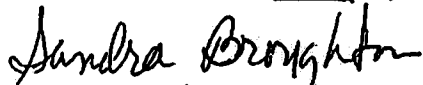
**CERTIFICATION OF OWEN PELL**

I, Owen Pell, certify pursuant to LR IA 11-2(b)(3) that the following information is true and correct:

1. I am a partner of the law firm White & Case LLP, 1221 Avenue of the Americas, New York, New York 10020.
2. I am a member in good standing in every jurisdiction in which I have been admitted to practice.
3. Attached as Exhibit A is my Certificate of Good Standing to the Supreme Court for the State of New York, Appellate Division, First Judicial Department.

  
Owen C. Pell

Subscribed and sworn before me this 25<sup>th</sup> day of January, 2018



Notary  
SANDRA BROUGHTON  
Notary Public, State of New York  
No. 01BR5018163  
Qualified in Queens County  
Commission Expires Sept. 20, 2021



# **EXHIBIT A**

**Appellate Division of the Supreme Court  
of the State of New York  
First Judicial Department**

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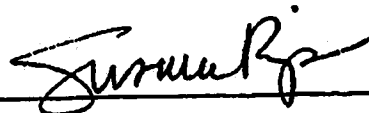
I, Susanna Rojas, Clerk of the Appellate Division of the Supreme Court of the State of New York, First Judicial Department, certify that

**OWEN CARY PELL**

was duly licensed and admitted to practice as an Attorney and Counsellor at Law in all the courts of the State of New York on June 18, 1984, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counsellors at Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an attorney and counsellor at law.

In Witness Whereof, I have hereunto set my hand and affixed the seal of this court on

**January 11, 2019**



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**Clerk of the Court**